

Remarks

Applicants respectfully request reconsideration of the present application in view of the accompanying Declaration by Professor Brian Paul, the foregoing amendments, and the following remarks.

Claims 1-2, 4, 14-15, 23, 28, 31-32, 39, 40, 43 and 45 previously were rejected as allegedly being anticipated by a document entitled "Intermetallic Microlaminations for High-Temperature Microreactors," hereinafter Paul I. Paul I does not constitute prior art under 35 U.S.C. § 102(b) to this application and is the inventor's own work. The present application claims the benefit of the earlier filing date of U.S. provisional application No. 60/455,735, which was filed on March 17, 2003. The information of Paul I was not disseminated as a printed publication until November of 2002. To support this conclusion, accompanying this response is a Declaration by Professor Brian Paul that specifically addresses each of questions a-d as raised in the Office Communication dated November 7, 2008.

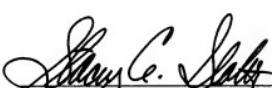
More pertinent however, applicants have amended independent claim 1 to include additional features that are not taught by Paul I. Specifically, claim 1 has been amended to state that the stack includes a bonding material between an intermetallic layer and an adjacent layer. In order for the invention to produce a working device, the individual lamina are bonded together in a manner that maintains functionality, such as by not occluding microchannels, and that effectively bonds the device to form a structurally cohesive unit. Solving this bonding problem was not a trivial step. As a result, the features of independent claim 1 are not taught or suggested by Paul I.

Paul I is not properly cited as prior art against the present application. However, even if it does constitute prior art to this application, this is largely irrelevant. The features of independent claim 1 are not taught or suggested by Paul I.

The present application is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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